

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL MALCON	:	CIVIL ACTION
	:	
v.	:	
	:	
LINDA J. NAUROTH, DEPARTMENT OF	:	
CORR.	:	NO. 02-4525

O R D E R

AND NOW, this                      day of July, 2002, plaintiff  
having failed to file a completed motion to proceed in forma  
pauperis, as required by 28 U.S.C. § 1915(a)(2),<sup>1</sup> IT IS HEREBY  
ORDERED that:

(1) Plaintiff's motion to proceed in forma pauperis is  
DENIED;

(2) Plaintiff may reassert this action in the United  
States District Court for the Middle District of Pennsylvania,  
where venue appears to be properly laid pursuant to 28 U.S.C.  
§ 1391(b);<sup>2</sup>

(3) The Clerk of Court shall retain the original  
records filed in this case in the civil action file, and forward  
copies of these records to plaintiff with this order;

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1. Plaintiff's motion to proceed in forma pauperis lacks a  
certified copy of his inmate trust fund account statement for the  
six-month period prior to the Court's receipt of his complaint.

2. Because plaintiff's claim arose at S.C.I. Frackville, which  
is located in the Middle District of Pennsylvania, and the  
defendant in this action is an employee of S.C.I. Frackville who  
appears to reside in the Middle District of Pennsylvania,  
plaintiff's complaint may not be brought in the United States  
District Court for the Eastern District of Pennsylvania.

(4) The Clerk of Court shall CLOSE this action statistically.

**BY THE COURT:**

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**R. BARCLAY SURRICK, J.**

